

SENATE BILL 218  
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 70, Chapter 4,  
relative to regulation of canid and felid hybrids.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 4, is amended by adding  
Sections 2 through 10 of this act as a new part.

SECTION 2. As used in this part, unless the context otherwise requires:

(1) "Adequate confinement" means while on the property of its owner and not  
under the direct supervision and control of the owner or custodian, a canid and felid  
hybrid is confined in a humane manner in a securely enclosed and locked structure of  
sufficient height and design to: (1) prevent the animal's escape or direct contact with the  
hybrid and (2) provide a minimum of 1/2 acre of space for each canid hybrid and fifty  
(50) square feet of floor space for each adult felid hybrid. Tethering of a canid hybrid not  
under the direct supervision and control of the owner or custodian shall not be  
considered adequate confinement;

(2) "Agency" means the Tennessee wildlife resources agency; and

(3) "Canid and felid hybrids" means any mammal which is the offspring of the  
reproduction between any species of wild canid or hybrid wild canid and a domestic dog  
or hybrid wild canid, or is represented by its owner to be wolf hybrid, coyote hybrid, coy  
dog or any other kind of wild canid hybrid, or which is the offspring of the reproduction  
between any species of wild felid or hybrid wild felid and a domestic cat or hybrid wild

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felid or is represented by its owner to be a wild felid hybrid. All mammals shall be considered to be wild mammals and subject to the provisions of this part.

SECTION 3. In cases involving a dispute as to the genetic make-up of an animal, the agency will provide an expert whose opinion will be definitive. In cases where the animal is ruled to be a canid or felid hybrid, the owner will be given thirty (30) days to come into complete compliance with the provisions of this part.

#### SECTION 4.

(a) No person shall possess, breed, offer for sale, trade, give away, purchase, offer to purchase, acquire, import, release or cause to be released a canid or felid hybrid, except as provided in this part. The agency shall establish a permit system for the regulation of canid and felid hybrids. After the effective date of this act, no person shall own a canid or felid hybrid without first obtaining a permit. Only persons who own canid or felid hybrids on or before the effective date of this act shall be eligible to receive a permit to own such animals.

#### SECTION 5.

(a) The agency shall issue permits for possessing canid and felid hybrids as defined in this part. The agency shall adopt reasonable regulations for issuing permits to possess canid and felid hybrids and establishing the conditions thereof. The conditions shall be directed toward assuring the health, welfare and safety of canid and felid hybrids, the public, and where necessary, the security of facilities in which such hybrids are kept. The agency shall establish a fee system to fund the cost of the permitting system. A separate permit shall be obtained for each canid and felid hybrid. Except as provided in Section 6(b), a permit may be obtained only for a hybrid owned by the permittee on or before the effective date of this act.

(b) Permits shall be granted for a period of twelve (12) months and shall be renewed annually. The canid or felid hybrid permit shall include, but not be limited to:

- (1) Date of the permit and date of expiration;
- (2) Name, address, age, phone number, and social security number of the owner of the canid and/or felid hybrid;
- (3) Location where the hybrid will be kept;
- (4) Signature of the owner authorized by the agency to possess the canid or hybrid;
- (5) Proof of sterilization; tattooing and adequate confinement of the canid or felid hybrid; and
- (6) Sex, age, color, height, and length and any identifying marks or numbers unique to the canid or felid hybrid.

(c) Photographs of the animal shall be kept on file with the agency and are the responsibility of the owner to provide. New color photographs must be provided annually prior to issue or renewal of the permit. The photographs shall include front and side views of the animals using color film only. Photographs shall become the property of the agency and not returned to the owner.

(d) No permit to own a canid or felid hybrid shall be issued unless the hybrid is sterilized.

(e) No permit shall be issued unless the owner of the canid or felid hybrid is twenty-one (21) years of age or older.

(f) The agency may deny, suspend, or revoke a permit if the applicant or permittee violates, or is not in compliance with this part, regulations of the agency, or his or her permit. If an owner is found in violation of this part, any regulation, or the permit, such owner shall be given a maximum of thirty (30) days to come into compliance.

#### SECTION 6.

(a) The owner of a canid or felid hybrid shall care for each hybrid in accordance with the provisions of this part and the regulations promulgated by the agency.

(b) If the owner cannot maintain possession of the canid or felid hybrid, he or she shall transfer it only to another person authorized to possess such hybrid in Tennessee, who shall obtain a permit for the hybrid in accordance with this part, or to a person in another state in which ownership of such hybrids is legal. The owner shall notify the agency prior to such transfer. Such notification shall include the name and address of the person to whom the hybrid will be transferred.

(c) The owner of any hybrid shall immediately notify the agency, the local animal control department, and the local police department if the hybrid: (1) is loose or not confined, (2) bites or attacks a person or animal, (3) dies, or (4) is to be moved to a different location.

(d) Each canid and felid hybrid possessed, shall at all times, wear a collar with a color coded identification tag issued by the agency bearing an assigned number and identifying the animal as a canid or felid hybrid. Such tag shall be renewed annually along with the permit and the cost of the permit will include the cost of the tag. Felid hybrids are authorized to wear a feline-specific "break-away" collar.

## SECTION 7.

(a) All canid and felid hybrids shall be permanently identified by means of a tattoo on the inside thigh which identifies the owner and the hybrid in accordance with regulations promulgated by the agency.

(b) Canid and felid hybrids shall be vaccinated with a rabies vaccination at six (6) months of age with a three-year killed USDA-approved vaccine. However, since no USDA rabies vaccine is approved for any canid or felid hybrid, the agency may require that if any such hybrid is exposed to a rabid animal, or bites, or otherwise exposes people or other animals to rabies, it may be euthanized and subjected to a rabies examination. Any costs incurred are the responsibility of the owner. The canid or felid hybrid shall be considered unvaccinated for the operation of any other law or regulation.

(c) Canid and felid hybrids, when not on the owner's property, shall be on a leash, enclosed in a carrier, and under the control of the owner.

(d) No felid hybrid shall be tethered under any circumstances.

#### SECTION 8.

(a) Any person possessing a canid or felid hybrid under the age of six (6) months on the effective date of this act shall be issued a temporary permit for each hybrid or litter. The permit shall be in effect until thirty (30) days after the hybrid reaches six (6) months of age and shall include the age and sex of each canid and/or felid hybrid resulting from that litter. Each such hybrid shall be sterilized within thirty (30) days after the animal reaches six (6) months of age at which time an annual permit shall be issued for each one in accordance with this part.

(b) For owners moving into Tennessee after the effective date of this act, a temporary permit shall be issued for the canid or felid hybrid upon certification by a licensed veterinarian that the canid or felid hybrid is pregnant and cannot be sterilized . A temporary permit shall also be issued to owners whose canid or felid hybrid is certified pregnant by a licensed veterinarian at the time this act takes effect. Such hybrids shall be sterilized within three (3) months of whelping and an annual permit shall be issued for the hybrid at that time. The resulting litter shall be issued a permit in accordance with this section.

#### SECTION 9.

(a) Facilities used in transporting a canid or felid hybrid shall be constructed of steel, or case hardened aluminum of sufficient strength to prevent the escape of the canid or felid hybrid being transported. Such facilities shall be humane in confinement and constructed in such a manner to prevent contact between the animal(s) and the general public. All doors shall be locked when the facility is in use.

(b) Facilities used in transporting shall be equipped to provide fresh air without injurious drafts and adequate protection from the elements to all animals.

(c) Facilities used in transporting shall be large enough to ensure that each specimen has sufficient room to stand erect and lie naturally.

(d) Facilities used in transporting shall not be used as permanent enclosures nor considered adequate for permanent housing under any circumstances.

SECTION 10. A violation of any provision of this part, a permit issued under the provisions of this part or any regulation promulgated pursuant to the provisions of this act is a Class A misdemeanor. In addition, anyone found guilty of any violation shall surrender the canid or felid hybrid to the agency. The agency shall decide the ultimate disposition of the animal. All costs incurred will be the responsibility of the permittee.

SECTION 11. Tennessee Code Annotated, Section 70-4-403(3), is amended by deleting subdivision (N) in its entirety.

SECTION 12. Tennessee Code Annotated, Section 70-4-403, is amended by adding the following new subdivision:

( ) Class VI - this class includes canid and felid hybrids which may only be possessed in accordance with the provisions of this act.

SECTION 13. For the purpose of promulgation of regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on July 1, 1997, the public welfare requiring it.